

and condemnation of 15 cases of sardines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Columbian Canning Co., Lubec, Me., alleging that the article had been shipped from Lubec, Me., on or about July 9, 1923, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Vender Brand American Sardines In Cottonseed Oil Packed By Columbian Canning Co. Lubec Washington Co., Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 14, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11920. Misbranding and alleged adulteration of cottonseed meal. U. S. v. Southern Cotton Oil Co., a Corporation. Plea of guilty to misbranding charge. Fine, \$25. Demurrer sustained as to adulteration charge. (F. & D. No. 14347. I. S. Nos. 11089-r, 12012-r.)**

On May 9, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation, trading at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 2, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded, and on or about December 24, 1919, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was alleged to have been adulterated. The product involved in the consignment of July 2, 1919, into Kansas was labeled in part: (Tag) "'Chic-Homa Quality' Cotton Seed Meal or Cake \* \* \* Guaranteed Analysis Protein, Not less than 41%." The product involved in the remaining consignment was billed as 7 per cent "C S Meal" and was represented by the consignor as 7 per cent ammonia cottonseed meal.

Analyses of samples of the article from the consignment of July 2, 1919, by the Bureau of Chemistry of this department showed that it contained approximately 39.75 per cent of crude protein. Analyses of samples of the article from the remaining consignment by said bureau showed that it contained 6.63 per cent of ammonia.

Adulteration of the product involved in the consignment of December 24, 1919, into Michigan was alleged for the reason that a cottonseed meal of less than 7 per cent of ammonia had been substituted in whole and in part for cottonseed meal of 7 per cent ammonia, which the article purported to be.

Misbranding of the product involved in the consignment of July 2, 1919, into Kansas was alleged for the reason that the statement, to wit, "Guaranteed Analysis Protein, Not less than 41%," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 41 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein, whereas, in truth and in fact, it did contain less than 41 per cent of protein, to wit, 39.75 per cent of protein.

On June 23, 1923, a demurrer having been filed to both counts of the information, which was overruled with respect to the second count involving the misbranding charge, a plea of guilty to the second count was entered, and the court imposed a fine of \$25. The demurrer was sustained as to the first count, involving the adulteration charge.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11921. Adulteration of cumin seed. U. S. v. 3 Bags of Cumin Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15742. I. S. No. 13465-t. S. No. C-3377.)**

On December 21, 1921, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 bags of cumin seed, at Wichita, Kans., alleging that the article had been shipped by the J. H. Forbes Tea & Coffee Co., from St. Louis, Mo., on or about November 21, 1921, and transported from the State of

Missouri into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On August 17, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11922. Misbranding of mixed feed. U. S. v. Arkadelphia Milling Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 16849. I. S. No. 12794-t.)**

On February 1, 1923, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Arkadelphia Milling Co., a corporation, Arkadelphia, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 13, 1922, from the State of Arkansas into the State of Texas, of a quantity of mixed feed which was misbranded. The article was labeled in part: "Clover Blossom Mixed Feed \* \* \* Manufactured by Arkadelphia Milling Company Arkadelphia, Arkansas."

Examination of the article by the Bureau of Chemistry of this department showed that it contained wheat middlings and possibly some bran, with screenings, rice bran and hull tissues, and broken rice; it contained no hominy feed. Analysis of a sample of the article by said bureau showed that it contained 12.59 per cent of crude protein and 11.57 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Composed of Wheat Gray Shorts, Rice Bran, Hominy Feed" and "Guaranteed Analysis: Crude Protein not less than 14.00 Per Cent \* \* \* Crude Fiber not more than 8.00 Per Cent," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was composed only of wheat gray shorts, rice bran, and hominy feed, and contained not less than 14 per cent of crude protein and not more than 8 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed only of wheat gray shorts, rice bran, and hominy feed, and contained not less than 14 per cent of crude protein and not more than 8 per cent of crude fiber, whereas, in truth and in fact, it was not composed only of wheat gray shorts, rice bran, and hominy feed but contained no hominy feed and contained less than 14 per cent of crude protein, to wit, approximately 12.59 per cent, and contained more than 8 per cent of crude fiber, to wit, approximately 11.57 per cent.

On October 22, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11923. Adulteration of walnut meats. U. S. v. 10 Boxes of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17261. I. S. No. 8274-v. S. No. W-1313.)**

On February 13, 1923, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 10 boxes of walnut meats, remaining in the original unbroken packages at Spokane, Wash., consigned by the Sanitary Nut Shelling Co., Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about December 18, 1922, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Dark Amber 50 Lbs. Net Order Of Sanitary Nut Shelling Co."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On November 20, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*